

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89826 of 2024

Arising Out of PS. Case No.-273 Year-2024 Thana- BARAULI District- Gopalganj

Upendra Mahto @ Upendra Mahato S/O Late Parma Mahato Resident of
Vill.- Rupanchhap, P.S- Barauli, Dist.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant
of regular bail in connection with Barauli P.S. Case No. 273 of
2024 dated 22.10.2024 registered for the offences punishable u/s
30(a) of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, total 22 litres of illicit
country-made liquor was recovered from the sack allegedly
thrown by the petitioner.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in this
case. Nothing has been recovered from the conscious possession
of the petitioner. The name of the petitioner was disclosed by the
local Chowkidar. The petitioner has no concern with the alleged



recovery. The petitioner has five criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 24.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gopalganj in connection with Barauli P.S. Case No. 273 of 2024, with the condition:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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